

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

PUBLIC SERVICES - Registration and Stamps Department - Annual Inspection Report of RO., Administration Branch, Rajamahendravaram - Impounding and validation of document - Certain irregularities noticed - Departmental proceedings initiated against Sri M.Sai Prasad, former Deputy Inspector General (R&S), Kakinada and District Registrar, Rajamahendravaram (FAC) (now retired) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 - Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991- Articles of Charge - Issued.

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**REVENUE (VIGILANCE-II) DEPARTMENT**

**G.O.Rt.No.92**

**Dated:18-01-2019**

**Read :-**

G.O.Ms.No.28, Revenue (Vigilance-II) Dept, dated 18-01-2019.

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**ORDER :**

In pursuance of the sanction accorded under Sub Clause (i) of Clause (b) of Sub Rule (2) of the Andhra Pradesh Revised Pension Rules, 1980 for instituting departmental proceedings against Sri M.Sai Prasad, former Deputy Inspector General (Registration & Stamps), Kakinada and District Registrar, Rajamahendravaram (FAC) (now retired) vide reference read above, it is proposed to hold an inquiry against said Sri M.Sai Prasad in accordance with the procedure laid down under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement Articles of Charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of the Articles of Charge is enclosed (Annexure-II). A list of documents by which and the list of witnesses by whom the Articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri M.Sai Prasad, former Deputy Inspector General, Registration & Stamps, Kakinada and District Registrar, Rajamahendravaram (FAC) (now retired) is directed to submit within 10 days of the receipt of the order, a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. He should therefore, specifically admit or deny each Article of Charge.

5. Sri M.Sai Prasad, former Deputy Inspector General, Registration & Stamps, Kakinada and District Registrar, Rajamahendravaram (FAC) (now retired) is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri M.Sai Prasad, former Deputy Inspector General, Registration & Stamps, Kakinada and District Registrar, Rajamahendravaram (FAC) (now retired) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of the matters pertaining to his service under the Government. If any representation is received on his behalf

Contd.,2

from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri M.Sai Prasad is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the proceedings shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO  
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri M.Sai Prasad, Deputy Inspector General Registration & Stamps, Kakinada & District Registrar, Rajamahendravaram (FAC) (now retired) (through the Director & Inspector General, Registration & Stamps, Vijayawada. With a request to serve the G.O to the individual and furnish the served copy with dated acknowledgement for record).

The Director & Inspector General, Registration & Stamps, Eedupugallu, Vijayawada.

Copy to:

The Deputy Inspector General, Registration & Stamps, Kakinada.

The Deputy Inspector General, Registration & Stamps, Kurnool.

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

## ANNEXURE - I

### Statement of Articles of Charge framed against Sri M.Sai Prasad, former Deputy Inspector General, Registration & Stamps, Kakinada and District Registrar, Rajamahendravaram (FAC) (now Retired)

#### Charge - I :

That the said Sri M.Sai Prasad, former Deputy Inspector General, Registration & Stamps, Kakinada now retired from service on superannuation on 31-12-2016 while he was acting as District Registrar, Rajamahendravaram (FAC) has impounded one unregistered sale deed written on Non-Judicial Stamp Paper of Rs.7/- executed on 07.04.1974 which was presented before the District Registrar on 23.07.2016 by Sri V.P.V.Prasad. The instrument was impounded by the District Registrar though the executant, claimant and witnesses were not alive and whereas the document was presented for validation by the 3<sup>rd</sup> party who is not an executant, claimant to the said document.

#### Charge - II :

During the process of impounding the above said document the District Registrar has issued notices to the executant, claimant, two witnesses and Document writer on 25.07.2016. But the said notices were acknowledged by Sri V.P.V.Prasad, presentant of unregistered sale deed on 25.07.2016, thus colluding with the applicant. The presentant has deposed before the District Registrar, Rajamahendravaram that the executant, claimant, witnesses and Document writer were not alive.

#### Charge - III:

During the process of impounding the above said document, the District Registrar has addressed Sub-Registrar, Tadepalligudem for verification of genuineness of Non Judicial stamp paper worth of Rs.7/- on 25.07.2016. The memo was addressed by the District Registrar, Rajamahendravaram to the Sub-Registrar, Tadepalligudem both of them who are Government Officials. But it was received by Sri V.P.V.Prasad, presentant of unregistered sale deed, thus colluding with the fake applicant. He did not wait for reply of the Sub-Registrar and proceeded for validation of document.

#### Charge - IV:

Sri V.P.V.Prasad, the presentant of the unregistered sale deed has earlier presented the unregistered sale deed dated 07.04.1974 engrossed on white paper before the then District Registrar, Rajamahendravaram. As the presentant has stated that the executant, claimant, witness and Document writers were not alive, the District Registrar has sought for clarification from the Director & Inspector General, Andhra Pradesh, Vijayawada in file No. G1/1199/2015, dated 06.04.2016.

Meanwhile, again Sri V.P.V.Prasad has presented unregistered sale deed 07.04.1974 engrossed on Non-Judicial Stamp Paper Worth Rs.7/- with the same recitals and the same executants, claimants and witnesses before the District Registrar, Rajamahendravaram (FAC). Action was initiated in new file No.G1/967/2016.

Though the same issue was referred to the Head of the Department by his predecessor for clarification, the District Registrar, Rajamahendravaram (FAC) without waiting for the instructions of the D&IG (R&S), has concluded the process of validation.

**Charge - V:**

It is also noticed that in all the correspondence, proceedings, memos, no initials of the staff of RO (AB) are found. The signatures of the District Registrar, Rajahmahendravaram (FAC) alone were found on all the papers relating to the disposal of impounding documents, establishing the connivance of the District Registrar (FAC) in impounding a fabricated document.

**Charge - VI:**

The above said instrument was adjudicated by the District Registrar by collecting deficit stamp duty of Rs.1080/- and penalty of 10,800/- relying upon the date of execution of the above deed for computing of market values. Thus he caused huge loss of revenue to a tune of Rs.51,38,87,220/- to the state exchequer.

Thus by the above mentioned facts, Sri M.Sai Prasad, former District Registrar, Rajahmahendravaram (FAC) violated the mandatory directions in this regard of the Commissioner and Inspector General of Registration and Stamps, Andhra Pradesh issued vide memo Nos.C&IG/S1/10723/2004, dated 01.06.2004, S1/12860/08/922/2009, dated 21.03.2009 and thus he exhibited lack of devotion to duty which required under rule 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO  
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

## ANNEXURE-II

### Statement of Imputation of Misconduct or Misbehaviour in support of Articles of Charge framed against Sri M.Sai Prasad, former Deputy Inspector General, Registration & Stamps, Kakinada and District Registrar, Rajamahendravaram (FAC) (now Retired)

#### BASIS OF CHARGES:

The Deputy Inspector General (R&S), Kakinada through the letter No.G4/869/AIR/DIG/2016, dated 30.03.2017 has submitted that during the annual inspection of Office of the District Registrar, Rajahmundry it was observed certain malfunctioning of the District Registrar office in impounding of documents.

Sri Vardhanapu Purushottama Vara Prasad, S/o Bullabbai, Narsapuram while enclosing a instrument written on white paper styled as sale deed requested to validate the same as required under Sections 40 & 42 read with Section 33 of the Indian Stamp Act, 1899 and also sent demand draft dated 30.11.2015 for Rs.12,100/- towards stamp duty payable on the instrument as per the rates of stamp duty as on the date of its execution.

The said instrument was engrossed on white paper executed on 07.04.1974 by Kanchumarthi Pardhasarathy, S/o.Venkata Seetha Ramachandra Rao, Rajahmundry in favour of Bokka Pallayya, S/o Macharayya, Rajahmundry for a consideration of Rs.9,000/- conveying an extent of Ac.4.50 in R.S. No.274/1 situated in Rajahmundry. The applicant is neither executant nor claimant of the above said instrument. Hence, the District Registrar requested the applicant to submit the full addresses of the executant, claimant and witnesses of the instrument for recording depositions. Sri Vardhanapu Purushottama Vara Prasad who is not a party in the above instrument submitted that the sale took place on 07.04.1974 and the so called persons mentioned in the instrument are not alive.

In view of the instructions of Commissioner & Inspector General memo No.S1/12860/08/922/2009, dated 21.03.2009, the District Registrar, Rajamahendravaram has referred the matter to the Director & Inspector General vide letter No.G1/1199/2015, dated 06.04.2016 as the instrument was engrossed on the white paper and as the executant, claimant and witnesses were not alive.

Meanwhile the charge of the post of the District Registrar, Rajamahendravaram has changed from Sri V.Rangareddy to Sri M.Sai Prasad, DIG, Kakinada (FAC). The same applicant presented another application for validation of an instrument with the same recitals executed on Non Judicial Stamp Paper worth Rs.7/- said to be purchased on 06.04.1974. It was received in the Office of the District Registrar on 23.07.2016. Action was initiated by Sri M.Sai Prasad, District Registrar (FAC) in file No.G1/967/2016 whereas the document referred to D&IG by Sri V.Ranga Reddy as District Registrar, Rajamahendravaram in file No.G1/1199/2015.

The District Registrar, Rajamahendravaram (FAC) has issued notices on 25.07.2016 to the executant, claimant, two witnesses and Document writer. But the said notices were acknowledged by the presentant of the impounded document on 25.07.2016. The District Registrar also issued show cause notice to the presentant as to why deficit stamp duty on Rs.1,080/- and penalty of Rs.10,800/- should not be levied. The presentant has deposed before the District Registrar, Rajamahendravaram that the executant, claimant, witnesses and Document writer were not alive. He is willing to pay the deficit stamp duty. The District Registrar, Rajamahendravaram issued proceedings No.G1/967/2016 dated 12.08.2016 levying an amount of Rs.1080/- towards deficit stamp duty and an amount of Rs.10,800/- towards

penalty under Section 40 of Indian Stamp Act, in respect of the instrument. The District Registrar, Rajamahendravaram has impounded the instrument on 19.08.2016 and endorsed it under Section 40 & 42 of Indian Stamp Act, 1899.

Sri M.Sai Prasad, the then District Registrar, Rajahmundry (FAC) has impounded the document though the executant, claimant and witnesses are not alive and whereas the document was presented for validation by the 3<sup>rd</sup> party who is not an executant, claimant to the said document. The District Registrar issued notices to the executant, claimant, two witnesses and Document Writer of the original deed, but the same was acknowledged by the presentant Sri Vardhanapu Purushottama Vara Prasad. The District Registrar has addressed Sub-Registrar, Tadepalligudem for verification of the genuineness of Non Judicial Stamp Paper Worth of Rs.7/- on 25.07.2016 and the same also received by the presentant Sri Vardhanapu Purushottama Vara Prasad. He did not wait for the reply of the Sub-Registrar and proceeded for validation of document. It is also noted that in all the correspondence, proceedings and memos, no initials of the staff of Registrar Office (Administrative Branch), Rajamahendravaram are found.

The District Registrar, Rajamahendravaram has impounded the said instrument by collecting deficit stamp duty of Rs.1,080/- and penalty of 10,800/- relying upon the date of execution of the above deed for computing of market values.

As per circular memo Nos. C&IG/S1/10723/2004, dated 01.06.2004, market value is applicable as on the date of presentation of the document presented by the parties voluntarily for validation. The circulars are very clear that the date of execution has no relevance at all in all such cases. By not adopting the market value as on date of presentation i.e. on 23.07.2016, the District Registrar (FAC), has caused huge loss of revenue to the state exchequer. The details are

|                                          |                     |
|------------------------------------------|---------------------|
| Total extent : 4.50 x 4840               | : 21,780 Sq. Yrds.  |
| Market Value per Sq. Yrd. (21780x33,000) | : Rs.71,87,40,000/- |
| Stamp duty leviable @ 6.5%               | : Rs. 4,67,18,100/- |
| Penalty at 10 times is                   | : Rs.46,71,81,000/- |
| Stamp Duty + Penalty                     | : Rs.51,38,99,100/- |
| Amount collected by the D.R.             | : Rs. 11,880/-      |
| Loss of Revenue                          | : Rs.51,38,87,220/- |

Thus, he caused loss of revenue to a tune of Rs.51,38,87,220/- and violated the instructions issued through the Commissioner & Inspector General circular memo No. C&IG/S1/10723/2004, dated 01.06.2004 and thereby contravened Rule 3 of Andhra Pradesh Civil Services (Conduct) Rules 1964.

Dr.D.SAMBASIVA RAO  
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

**ANNEXURE--III**

**LIST OF DOCUMENTS**

1. C&IG circular memo No. C&IG/S1/10723/2004, dated 01.06.2004.
2. C&IG circular memo No.S1/12860/08/922/2009, dated 21.03.2009.
3. Deputy Inspector General (R&S), Kakinada Lr.No. G4/869/AIR/DIG/2016, dated 30.03.2017.
4. D.R., Rajahmahendravaram Lr.G1/967/2016, dated 12.09.2017,
5. D.R., Rajahmahendravaram Lr.G1/967/2016, dated 03.10.2017.
6. D&IG(R&S) Lr.No.AIR/3207/2017, dated 23.02.2018.
7. D&IG(R&S) Lr.No.AIR/3207/2017, dated 23.09.2018.

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**ANNEXURE-IV**

**LIST OF WITNESSES TO BE EXAMINED**

1. Smt.P.Lakshmi Kumari, former Deputy Inspector General (R&S), Kakinada.
2. Sri V.Ranga Reddy, former District Registrar, Rajahmahendravaram.
3. Sri R.Satyanarayana, District Registrar, Rajahmahendravaram.
4. Sri V.P.V.Prasad, S/o V.Bullabbai, Gandinagar-2, Narsapur.

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